

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
CHRISTOPHER HEDGES, DANIEL ELLSBERG, :
JENNIFER BOLEN, NOAM CHOMSKY, ALEXA :
O'BRIEN, US DAY OF RAGE, KAI WARGALLA, :
HON. BRIGITTA JONSDOTTIR M.P., :
:
Plaintiffs, :
:
-v- :
:
BARAK OBAMA, individually and as :
representative of the UNITED STATES OF :
AMERICA; LEON PANETTA, individually :
and in his capacity as the executive :
and representative of the DEPARTMENT :
OF DEFENSE, JOHN MCCAIN, JOHN BOEHNER, :
HARRY REID, NANCY PELOSI, MITCH :
MCCONNELL, ERIC CANTOR as :
representatives of the UNITED STATES :
OF AMERICA, :
:
Defendants. :
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12 Civ. 331 (KBF)

ORDER

KATHERINE B. FORREST, District Judge:

As stated and agreed at the June 7, 2012 telephonic status conference with the Court, the above-captioned matter shall proceed directly to determination of plaintiffs' request for permanent injunction.¹ The parties have agreed that no further factual development of the record is necessary.

The Court provided the Government until 10:00 a.m. on June 8, 2012, to notify the Court if it sought to reconsider its position on discovery. The Court informed the Government that

¹ Such agreement renders the Government's motion for reconsideration of this Court's May 16, 2012 Opinion and Order on plaintiffs' motion for preliminary injunctive relief moot.

if it did not hear anything by that date and time, it would assume that the Government maintained its position that no additional factual record is required. The Government did not provide any notification of a change in its position to the Court. Accordingly, it is hereby

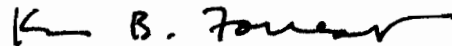
ORDERED that the factual record in this matter is closed. The parties shall use the existing factual record as the trial record on the motion for permanent injunctive relief.

IT IS FURTHER ORDERED that plaintiff's brief on the motion is due on June 29, 2012, with the Government's opposition thereto due July 18, 2012, and any reply due July 25, 2012.

IT IS FURTHER ORDERED that the Court will hold oral argument on plaintiff's motion for a permanent injunction on August 7, 2012 at 2 p.m.

SO ORDERED:

Dated: New York, New York
June 8, 2012



Katherine B. Forrest
UNITED STATES DISTRICT JUDGE